

**Notice of Allowability**

Application No.

09/574,791

Examiner

Toan D. Nguyen

Applicant(s)

DICK ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/13/05.
2. ☒ The allowed claim(s) is/are 7-13 and 20-28 are renumbered 1-16, respectively.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 4/01/04.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                 |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>6/13/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|   | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Examiner Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeffrey M. Glabicki on June 13, 2005.

2. The application has been amended as follows:

#### **IN THE CLAIMS:**

In claim 7 line 7, delete "the common packet channel" and insert --- the random access channel ---.

In claim 7 line 9, delete "the scrambling codes" and insert --- the predetermined scrambling codes ---.

In claim 7 line 10, delete "the scrambling codes" and insert --- the predetermined scrambling codes ---.

In claim 7 line 10, delete "the next" and insert --- remaining frames of the set of --  
-.

In claim 7 line 11, delete "different scrambling codes." and insert --- different ones of the predetermined scrambling codes. ---.

In claim 8 line 1, delete "wherein L" and insert --- wherein the set of L frames ---.

In claim 8 line 2, delete "L frames." and insert --- the set of L frames. ---

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In claim 9 line 1, delete "wherein L" and insert --- wherein the set of L frames ---.

In claim 10 line 1, delete "wherein L" and insert --- wherein the set of L ---.

In claim 10 line 2, delete "each radio frame" and insert --- each set of sequential radio frames ---.

In claim 11 line 2, delete "each radio frame" and insert --- each set of sequential radio frames ---.

In claim 12 line 2, delete "every L frames." and insert --- every set of L frames. ---

In claim 20 line 9, delete "the scrambling codes" and insert --- the predetermined scrambling codes ---.

In claim 20 line 10, delete "the scrambling codes" and insert --- the predetermined scrambling codes ---.

In claim 20 line 11, delete "the next" and insert --- remaining frames of the set of ---.

In claim 20 line 11, delete "different scrambling codes." and insert --- different ones of the predetermined scrambling codes. ---.

In claim 24 line 1, delete "wherein L" and insert --- wherein the set of L frames ---.

In claim 24 line 2, delete "L frames." and insert --- the set of L frames. ---

In claim 25 line 1, delete "wherein L" and insert --- wherein the set of L frames ---.

In claim 26 line 1, delete "wherein L" and insert --- wherein the set of L frames ---.

In claim 27 line 2, delete "each radio frame" and insert --- each set of sequential radio frames ---.

In claim 28 line 2, delete "every L" and insert --- every set of L frames. ---.

The above examiner's amendment was made to clarify the claims.

***Allowable Subject Matter***

3. The following is an examiner's statement of reasons for allowance:

Regarding claim 7, the prior art fails to teach a combination of the step of:  
defining a set of N predetermined scrambling codes for the random access  
channel where  $N > L$ , in the specific combination as recited in the claim.

Regarding claim 20, the prior art fails to teach a combination of the step of:  
means for defining a set of N predetermined scrambling codes for the channel  
where  $N > L$ , in the specific combination as recited in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

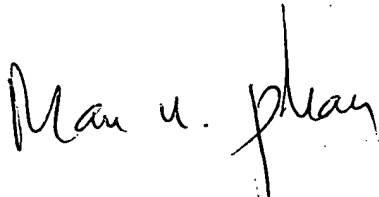
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MAN U. PHAN  
PRIMARY EXAMINER